

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Delton Donae Mallory**

**Docket No. 2:10-CR-31-1D**

**Petition for Action on Supervised Release**

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Delton Donae Mallory, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on June 9, 2011, to the custody of the Bureau of Prisons for a term of 192 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 5 years. On April 2, 2020, upon the granting of Mallory's motion pursuant to 18 U.S.C. § 3582(c)(1)(B) and Section 404 of the First Step Act of 2018, the defendant's term of imprisonment was reduced to 138 months and the term of supervised release was reduced to 4 years.

Delton Donae Mallory was released from custody on June 19, 2020, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

As a condition of supervised release, Mallory was ordered by the court to abide by the rules and regulations of the Eastern District of North Carolina Sex Offender Program. Inasmuch as the program is no longer active in our district, it is respectfully recommended that the court strike the condition and in lieu thereof, impose the conditions below which were recommended by the sex offender treatment provider and individualized to meet the specific needs of the defendant. Mallory signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The Eastern District of North Carolina Sex Offender Program condition shall be removed.
2. The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional who is experienced in evaluating sexual offenders and who is approved by the U.S. Probation Officer.
3. The defendant shall participate in a sex offender treatment program as directed by the U.S. Probation Officer, and the defendant shall comply with and abide by all the rules, requirements, and conditions of the treatment program until discharged. The defendant shall take medication as prescribed by the treatment provider.
4. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.
5. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.

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6. The defendant shall not hitchhike or pick up hitchhikers.
7. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dewayne L. Smith  
Dewayne L. Smith  
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright  
Lakesha H. Wright  
U.S. Probation Officer  
306 East Main Street, Room 306  
Elizabeth City, NC 27909-7909  
Phone: 252-335-5508  
Executed On: August 21, 2020

**ORDER OF THE COURT**

Considered and ordered this 27 day of August, 2020, and ordered filed and  
made a part of the records in the above case.

James C. Dever III  
James C. Dever III  
U.S. District Judge